

**U.S. Department of the Interior
Bureau of Land Management**

**Decision Record - Memorandum
Rattlesnake Ridge Communications Site Management Plan
November 2015**

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
Worland Field Office



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Chapter 1. Rattlesnake Ridge Communications Site Management Plan

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NEPA Number: DOI-BLM-WY-R010-2015-0046-CX

1.1. DECISION

It is my decision to approve the associated Communications Site Management Plan described as Proposed Action of Categorical Exclusion No. DOI-BLM-WY-R010-2015-0046-CX.

This communications site plan governs development and management of Rattlesnake Ridge Communications Site, Washakie County, Wyoming and will be modified in the future as needs and conditions warrant. Any future such uses must be designed, installed, operated, and maintained to be compatible and not interfere with the senior uses as defined in Section A of the plan. This site-specific plan is administrative in nature, no new surface disturbance is authorized.

1.1.1. Authorities:

NEPA (42 U.S.C. §§ 4321- – 4347), as amended

Title V of FLPMA, Sec. 501. [43 U.S.C. 1761]

1.1.2. Mitigation and Monitoring:

To assure compliance with the approved action, the communications site will be monitored during regularly scheduled field inspections.

1.1.3. Terms / Conditions / Stipulations:

Any future such uses must be designed, installed, operated, and maintained to be compatible and not interfere with the senior uses as defined in Section A of the plan.

1.2. PLAN CONFORMANCE AND CONSISTENCY

Land Use Plan Name: Worland Resource Management Plan Date Approved: September 21, 2015

This plan has been reviewed to determine if the proposed action conforms to the land use plan as required by 43 CFR 1610.5. The proposed action conforms to the Record of Decision and Approved Resource Management Plan for the Worland Field Office dated September 21, 2015. The decisions in the Worland Resource Management Plan (WRMP) provide overall management direction for resources on BLM-administered land in the Worland Field Office, Wyoming.

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

WRMP/ROD record numbers:

6000, Manage public lands to meet transportation and ROW needs consistent with goals and objectives of other resources.

6022, Develop communication site management plans for all communication site concentration areas (Map 3-24).

6027, Authorize communication site facilities on a case-by-case basis. Encourage development within designated areas. Co-locate new communication sites where possible.

The Worland RMP (pgs 107-109) delineates preferred right-of-way corridors, right-of-way avoidance areas, right-of-way exclusion area, and area available for right-of-way. The Worland RMP states that the BLM would manage public lands to meet transportation and ROW needs by providing opportunities to meet ROW demands while protecting important resources.

1.3. RATIONALE FOR DECISION

Approval of the Proposed Action will allow Rattlesnake Ridge Communications Site Users to utilize an existing communications site, located in Washakie County, Wyoming, as provided for by the Federal Land Policy and Management Act of 1976, as amended. This decision recognizes that there will be minimal impacts to resources until such time as the site has been successfully reclaimed. Authorization will allow the holders continued use of the communications site.

1.4. PROTEST AND APPEAL OPPORTUNITIES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (BLM Worland Field Office, 101 S. 23rd St., Worland, WY 82401) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR §2801.10 or 43 CFR § 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below.

Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR § 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) the relative harm to the parties if the stay is granted or denied;
- (2) the likelihood of the appellant's success on the merits;
- (3) the likelihood of immediate and irreparable harm if the stay is not granted; and
- (4) whether the public interest favors granting the stay.

/s/ Michael J. Phillips

Michael J. Phillips, Worland Field Office Manager

12/29/2015

Date

Attachments:DOI-BLM-WY-R010-2015-0046-CX